

**PLANNING AND ZONING BOARD
SEPTEMBER 24, 2003**

1. ROLL CALL

The meeting was called to order at 7:07 p.m. Board members present were Chair Mike Bender, Casey Lee, Scott McLaughlin, John Stevens and Mimi Turin. Also present were Andre Park and Martin Kiar from the Town Attorney's Office, Planner Deborah Ross and Board Secretary Janet Gale recording the meeting.

Former Board member Bob Waitkus said his farewell and expressed his confidence that the Board would continue to do good work. Chair Bender thanked Mr. Waitkus for his fine service on the Board and expressed that he would be sorely missed.

2. SELECTION OF VICE-CHAIR

Chair Bender passed the gavel and nominated Mimi Turin for Vice-Chair, seconded by Ms. Lee. As there were no other nominations, nominations were closed. In a voice vote, all voted in favor. **(Motion carried 5-0)**

3. PLATS

- 3.1 P 10-2-02, Pine Meadow Estates II, southwest 136 Avenue at Pine Meadow Court (R-1)
(tabled from August 13, 2003)

Gus Aguirre, representing the petitioner, was present. Ms. Ross read the planning report. Mr. Aguirre expressed that he worked in cooperation with staff on this plat and would answer any questions.

Mr. McLaughlin made a motion, seconded by Ms. Lee, to approve. In a roll-call vote, the vote was as follows: Chair Bender - yes; Vice-Chair Turin - yes; Ms. Lee - yes; Mr. McLaughlin - yes; Mr. Stevens - yes. **(Motion carried 5-0)**

Chair Bender advised that there were items to be tabled. Ms. Ross clarified that Item 3.3 [P 12-3-02, Zarbafi] was to be tabled to October 8th; and that Item 4.1 [ZB 6-1-03, FPL/ Archdiocese of Miami] was to be tabled to October 22nd.

Chair Bender asked for a motion to table those items to those dates.

Mr. Stevens so moved, seconded by Ms. Lee. In a voice vote, all voted in favor. **(Motion carried 5-0)**

- 3.2 P 10-1-02, Sharon Gardens, west side of SW 148 Avenue, south of SW 26 Street (A-1)
(tabled from August 27, 2003)

John Sokol, representing the petitioner, was present. Ms. Ross read the planning report which contained three conditions prior to approval.

Being familiar with this site, Chair Bender expressed his concerns regarding drainage and "water run off." He believed that a lesser amount of houses would help address those concerns. Ms. Ross explained that she believed the drainage concerns were addressed by not including the buffer areas within the lot calculations.

Ms. Lee recalled that there were problems with the road at 148 Avenue and she expressed concerns for safety. Ms. Ross explained that if the project was found to be over capacity by the Broward County Department of Transportation, the developer would be mandated to make improvements to adjacent roadways.

PLANNING & ZONING BOARD
SEPTEMBER 24, 2003

Mr. McLaughlin expressed concerns about the "T" turn around, that there were too many lots on the site, the access opening on 148 Avenue, and not providing a landscape buffer south of the entrance road.

Mr. Sokel responded that this was a "stand alone" project and all the water would be contained on site and percolate through the soil; that the developer's intentions were to vacate the canal easement on the east side; that regarding land use regulations, they were one lot under the limit; and that eventually, the "T" road would become a "thru" road.

Mr. McLaughlin made a motion, seconded by Vice-Chair Turin, to deny. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – yes; Mr. Stevens – yes. **(Motion carried 5-0)**

3.3 P 12-3-02, Zarbafi, 5000 Pine Island Road (R-5)

Earlier in the meeting, this item was tabled to October 8, 2003.

3.4 P 3-4-03, A.D. Hiatus Road, 1535 SW 112 Avenue (A-1)

Bill Freeman, representing the petitioner, was present. Ms. Ross read the planning report.

Mr. McLaughlin inquired on the existing total vehicle right-of-way south of the plat. He noted that it appeared that an additional right-of-way had been "taken" along Hiatus Road as a "scenic corridor" when looking at the aerial map. Ms. Ross responded that she would research the right-of-way.

Mr. McLaughlin made a motion, seconded by Ms. Lee, to approve based upon the report from Broward County on the right-of-way. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – yes; Mr. Stevens – yes. **(Motion carried 5-0)**

4. PUBLIC HEARINGS

Rezoning

4.1 ZB 6-1-03, FPL/ Archdiocese of Miami, 1401 Hiatus Road (from A-1 to U)

Earlier in the meeting, this item was tabled to October 22, 2003.

4.2 ZB 7-2-03, Lemon/ Bolender, 1390 South Flamingo Road (from R-5 to AG)

Charles Bolender, representing the applicant, was present. Ms. Ross read the planning report.

Chair Bender asked if anyone wished to speak for or against this item.

Mitch Topal, 12720 SW 13 Manor, spoke in favor.

As there were no other speakers, Chair Bender closed the public hearing.

A brief discussion ensued and the applicants clarified the intent of their request.

Ms. Lee made a motion, seconded by Mr. Stevens, to approve. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – yes; Mr. Stevens – yes. **(Motion carried 5-0)**

Variances

4.3 V 6-1-03, Bryant, 5641 Orange Drive (R-5)

Michael and Michele Bryant, the petitioners, were present. Ms. Ross read the planning report and clarified that there were two variance requests due to destruction by a fire.

PLANNING & ZONING BOARD
SEPTEMBER 24, 2003

Mr. Bryant provided historical information and explained his intent for the renovations and repairs. He answered questions to clarify the uses for the structure.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

A discussion ensued with Mr. Bryant being reassured by Planning and Zoning Manager Fernando Leiva that the site plan process would be facilitated administratively so that he may move on with his repairs. Mr. Leiva also suggested that staff would provide recommendations for landscaping requirements involved with this project. It was noted that sealed plans would be required in the site plan process. The Board decided to vote on each request separately.

Ms. Lee made a motion, seconded by Vice-Chair Turin, to approve variance one. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – no; Mr. Stevens – yes. **(Motion carried 4-1)**

Ms. Lee made a motion, seconded by Mr. Stevens, to approve variance two. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – no; Mr. Stevens – yes. **(Motion carried 4-1)**

4.4 V 7-2-03, Cobb, 3820 SW 55 Avenue (R-5)

Raquel Cobb, the petitioner, was present. Ms. Ross read the planning report.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Mr. Stevens asked if Ms. Cobb had spoken with her neighbor regarding this request. She indicated that she had and that he had no objections.

Mr. McLaughlin inquired on the setback stipulations of an existing wall. It was explained that the plat was approved in 1959 prior to being incorporated into the Town and that the “Old- Old” Code had very little setback stipulations.

Ms. Lee made a motion, seconded by Mr. McLaughlin, to approve. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – yes; Mr. Stevens – yes. **(Motion carried 5-0)**

4.5 V 8-1-03, Rodriquez, 5220 Davie Road (R-O)

Christina Rodriguez, the applicant, was present. Ms. Ross read the planning report and explained why it had been resubmitted.

Ms. Rodriguez provided historical information and explained the expenses and compromises which had transpired in order to have this project started.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Ms. Lee asked if the site as it appeared, was the same as had been approved two years ago. Ms. Ross responded affirmatively.

Chair Bender expressed that this was the type of structure the Town was looking to have built at this location, that the request was minimal, and that he would like to see it go through. The Board decided to vote on each variance separately.

Ms. Lee made a motion, seconded by Vice-Chair Turin, to approve variance one. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – yes; Mr. Stevens – yes. **(Motion carried 5-0)**

**PLANNING AND ZONING BOARD
SEPTEMBER 24, 2003**

Ms. Lee made a motion, seconded by Mr. McLaughlin, to approve variance two. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – yes; Mr. Stevens – yes. **(Motion carried 5-0)**

5. OLD BUSINESS

There was no old business discussed.

6. NEW BUSINESS

Ms. Ross advised the Board that the Florida American Planning Association would be holding a one-day conference on October 24, 2003. She indicated that Mr. Willi had approved that any Board members who wished to attend, was welcome to attend. Board members indicated that they would respond at the next meeting.

Chair Bender advised that applicants were trying to decipher the Board's votes when their projects were presented to the Town Council. He provided examples of these miscommunications and asked that if it was possible, that one of the Board members be present at the Council meetings. A discussion ensued and Chair Bender indicated that he would bring up the problem at the next Council meeting.

Mr. McLaughlin asked that if any items were approved by the Site Plan Committee prior to being reviewed by this Board, that the backup material, i.e. site plans, be provided for this Board's perusal.

7. COMMENTS AND/OR SUGGESTIONS

Ms. Lee asked that somewhere in the planning report, it be indicated in which "council district" the property was located.

8. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 9:01 p.m.

Date Approved _____

Chair/Board Member